

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:17-cv-09343-JGK**

Freedom of the Press Foundation et al v. Department of Justice
et al

Assigned to: Judge John G. Koeltl

Cause: 05:552 Freedom of Information Act

Date Filed: 11/29/2017

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Freedom of the Press Foundation

represented by **Anna Natalia Diakun**
Knight First Amendment Institute at
Columbia University
475 Riverside Drive
Suite 302
New York City, NY 10115
646-745-8500
Email: anna.diakun@knightcolumbia.org
ATTORNEY TO BE NOTICED

Leena M. Charlton
Knight First Amendment Institute
475 Riverside Drive
Ste 302
New York, NY 10033
646-745-8508
Email: leena.charlton@knightcolumbia.org
ATTORNEY TO BE NOTICED

Ramya Krishnan
Knight First Amendment Institute at
Columbia University
475 Riverside Dr.
Suite 302
New York, NY 10115
646-745-8506
Email: ramya.krishnan@knightcolumbia.org
ATTORNEY TO BE NOTICED

Alexander Abraham Abdo
Knight First Amendment Institute at
Columbia University
475 Riverside Drive, Suite 302
New York, NY 10115
646-745-8500
Email: alex.abdo@knightcolumbia.org
ATTORNEY TO BE NOTICED

Plaintiff

**Knight First Amendment Institute at
Columbia University**

represented by **Anna Natalia Diakun**
(See above for address)
ATTORNEY TO BE NOTICED

Leena M. Charlton
(See above for address)
ATTORNEY TO BE NOTICED

Ramya Krishnan
(See above for address)
ATTORNEY TO BE NOTICED

Alexander Abraham Abdo
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Department of Justice

represented by **Jean-David Barnea**
U.S. Attorney's Office, SDNY (Chambers
Street)
86 Chambers Street
New York, NY 10007
(212) 637-2679
Fax: (212) 637-2717
Email: jean-david.barnea@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

National Security Agency

represented by **Jean-David Barnea**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Central Intelligence Agency

represented by **Jean-David Barnea**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Office of the Director of National
Intelligence**

represented by **Jean-David Barnea**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/29/2017	<u>1</u>	COMPLAINT against Central Intelligence Agency, Department of Justice, National Security Agency, Office of the Director of National Intelligence. (Filing Fee \$ 400.00, Receipt Number 0208-14413545) Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Exhibit FOIA Request)(Abdo, Alexander) (Entered: 11/29/2017)
11/29/2017	<u>2</u>	CIVIL COVER SHEET filed. (Abdo, Alexander) (Entered: 11/29/2017)
11/29/2017	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Freedom of the Press Foundation.(Abdo, Alexander) (Entered: 11/29/2017)
11/29/2017	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Knight First Amendment Institute at Columbia University.(Abdo, Alexander) (Entered: 11/29/2017)
11/29/2017	<u>5</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PARTY NAME ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Department of Justice, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) Modified on 11/30/2017 (kl). (Entered: 11/29/2017)
11/29/2017	<u>6</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PARTY NAME ERROR REQUEST FOR ISSUANCE OF SUMMONS as to National Security

		Agency, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) Modified on 11/30/2017 (kl). (Entered: 11/29/2017)
11/29/2017	<u>7</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PARTY NAME ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Central Intelligence Agency, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) Modified on 11/30/2017 (kl). (Entered: 11/29/2017)
11/29/2017	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Office of the Director of National Intelligence, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) (Entered: 11/29/2017)
11/30/2017		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (kl) (Entered: 11/30/2017)
11/30/2017		Magistrate Judge Henry B. Pitman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (kl) (Entered: 11/30/2017)
11/30/2017		Case Designated ECF. (kl) (Entered: 11/30/2017)
11/30/2017	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to Office of the Director of National Intelligence. (kl) (Entered: 11/30/2017)
11/30/2017		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Alexander Abraham Abdo to RE–FILE Document No. <u>5</u> Request for Issuance of Summons, <u>6</u> Request for Issuance of Summons, <u>7</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): PLEASE LIST THE PARTY NAME FIRST. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (kl) (Entered: 11/30/2017)
11/30/2017	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Department of Justice, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) (Entered: 11/30/2017)
11/30/2017	<u>11</u>	REQUEST FOR ISSUANCE OF SUMMONS as to National Security Agency, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) (Entered: 11/30/2017)
11/30/2017	<u>12</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Central Intelligence Agency, re: <u>1</u> Complaint,. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Abdo, Alexander) (Entered: 11/30/2017)
11/30/2017	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to National Security Agency. (sj) (Entered: 12/01/2017)
11/30/2017	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to Central Intelligence Agency. (sj) (Entered: 12/01/2017)
12/01/2017	<u>13</u>	ELECTRONIC SUMMONS ISSUED as to Department of Justice. (sj) (Entered: 12/01/2017)

12/12/2017	<u>16</u>	AFFIDAVIT OF SERVICE. Central Intelligence Agency served on 12/11/2017, answer due 1/2/2018; Department of Justice served on 12/11/2017, answer due 1/2/2018; National Security Agency served on 12/11/2017, answer due 1/2/2018; Office of the Director of National Intelligence served on 12/11/2017, answer due 1/2/2018. Service was made by Mail. Document filed by Freedom of the Press Foundation; Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Appendix Mail Delivery Confirmations)(Abdo, Alexander) (Entered: 12/12/2017)
01/05/2018	<u>17</u>	NOTICE OF COURT CONFERENCE: You are directed to appear for a pretrial conference, to be held on Monday, March 12, 2018, in Courtroom 12B, at 4:30pm in front of the Honorable John G. Koeltl. All requests for adjournments must be made in writing to the Court. For any further information, please contact the Court at (212)805-0107. Initial Conference set for 3/12/2018 at 04:30 PM in Courtroom 12B, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. (mro) (Entered: 01/08/2018)
01/09/2018	<u>18</u>	AFFIDAVIT OF SERVICE. Central Intelligence Agency served on 12/18/2017, answer due 1/8/2018; Department of Justice served on 12/18/2017, answer due 1/8/2018; National Security Agency served on 12/18/2017, answer due 1/8/2018; Office of the Director of National Intelligence served on 12/18/2017, answer due 1/8/2018. Service was made by Mail. Document filed by Freedom of the Press Foundation; Knight First Amendment Institute at Columbia University. (Attachments: # <u>1</u> Appendix Delivery Confirmations, # <u>2</u> Appendix Delivery Confirmations)(Abdo, Alexander) (Entered: 01/09/2018)
01/17/2018	<u>19</u>	ANSWER to <u>1</u> Complaint,. Document filed by Central Intelligence Agency, Department of Justice, National Security Agency, Office of the Director of National Intelligence.(Barnea, Jean-David) (Entered: 01/17/2018)
01/30/2018	<u>20</u>	NOTICE OF CHANGE OF ADDRESS by Alexander Abraham Abdo on behalf of Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. New Address: Knight First Amendment Institute at Columbia University, 475 Riverside Drive, Suite 302, New York, NY, United States 10115, 6467458500. (Abdo, Alexander) (Entered: 01/30/2018)
03/05/2018	<u>21</u>	LETTER MOTION for Conference re: <u>17</u> Notice of Hearing, addressed to Judge John G. Koeltl from Alex Abdo dated 3/5/18. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. Return Date set for 3/12/2018 at 04:30 PM.(Abdo, Alexander) (Entered: 03/05/2018)
03/06/2018	<u>22</u>	ORDER: granting <u>21</u> Letter Motion for Conference. Application Granted. So Ordered. (Signed by Judge Alvin K. Hellerstein, Part I on 3/6/2018) (ap) (Entered: 03/06/2018)
03/09/2018	<u>23</u>	INITIAL REPORT OF PARTIES BEFORE PRETRIAL CONFERENCE. Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University.(Abdo, Alexander) (Entered: 03/09/2018)
03/12/2018	<u>24</u>	ORDER. As discussed at the conference on March 12, 2018, the parties should submit a stipulation with respect to the progress in this case by March 21, 2018. SO ORDERED. (Signed by Judge John G. Koeltl on 3/12/2018) (rjm) (Entered: 03/13/2018)
03/22/2018	<u>25</u>	STATUS REPORT. <i>Stipulation and Proposed Order</i> Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University.(Abdo, Alexander) (Entered: 03/22/2018)
03/22/2018	<u>26</u>	STIPULATION AND ORDER REGARDING DOCUMENT SEARCHES AND PROCESSING: Defendants will produce any non-exempt records responsive to the attached Final Processing List ("FPL") in accordance with the terms of this Stipulation. Inclusion of particular types or categories of records in the FPL is not a concession by Defendants that such records exist or that they will not be withheld, in whole or in part, pursuant to FOIA's statutory exemptions. Defendants shall complete their searches for responsive records in accordance with the FPL within 60 days from the entry of this Stipulation. The timeframes contained herein are based on Defendants' best estimates of the time required to complete the searches, as of the date of this Stipulation. Should some or all Defendants require additional time to complete their searches, the Parties will meet and confer and either present a revised Stipulation to the Court, or, if they cannot agree, make their respective proposals regarding the search

		schedule to the Court, as further set forth in this Order. (Signed by Judge John G. Koeltl on 3/22/2018) (mml) (Entered: 03/23/2018)
07/20/2018	<u>27</u>	JOINT LETTER addressed to Judge John G. Koeltl from AUSA Jean–David Barnea dated 7/20/18 re: Proposed Processing/Production Schedule. Document filed by Central Intelligence Agency, Department of Justice, National Security Agency, Office of the Director of National Intelligence.(Barnea, Jean–David) (Entered: 07/20/2018)
07/24/2018	<u>28</u>	MEMO ENDORSEMENT on re: <u>27</u> Letter Proposing Processing/Production Schedule, filed by Department of Justice, Office of the Director of National Intelligence, Central Intelligence Agency, National Security Agency. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge John G. Koeltl on 7/23/18) (yv) (Entered: 07/24/2018)
12/27/2018	<u>29</u>	STANDING ORDER M10–468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (anc) (Entered: 01/02/2019)
12/27/2018		Case Stayed. (anc) (Entered: 01/14/2019)
05/20/2019	<u>30</u>	JOINT LETTER addressed to Judge John G. Koeltl from AUSA Jean–David Barnea dated 5/20/19 re: Status Report. Document filed by Central Intelligence Agency, Department of Justice, National Security Agency, Office of the Director of National Intelligence.(Barnea, Jean–David) (Entered: 05/20/2019)
05/22/2019	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Letter Status Report, filed by Department of Justice, Office of the Director of National Intelligence, Central Intelligence Agency, National Security Agency. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge John G. Koeltl on 5/21/19) (yv) (Entered: 05/22/2019)
07/08/2019	<u>32</u>	STATUS REPORT. <i>with Proposed Schedule for Further Proceedings</i> Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University.(Krishnan, Ramya) (Entered: 07/08/2019)
07/09/2019	<u>33</u>	NOTICE OF APPEARANCE by Ramya Krishnan on behalf of Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Krishnan, Ramya) (Entered: 07/09/2019)
07/10/2019	<u>34</u>	MEMO ENDORSEMENT on re: <u>32</u> Status Report filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Signed by Judge John G. Koeltl on 7/9/2019) (kv) (Entered: 07/10/2019)
08/06/2019	<u>35</u>	STATUS REPORT. <i>with Proposed Schedule for Further Proceedings</i> Document filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University.(Krishnan, Ramya) (Entered: 08/06/2019)
08/21/2019	<u>36</u>	MEMO ENDORSEMENT on re: <u>35</u> Status Report filed by Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University (Signed by Judge Gregory H. Woods, Part 1 on 8/21/19) (yv) (Entered: 08/21/2019)
10/10/2019	<u>37</u>	NOTICE OF APPEARANCE by Anna Natalia Diakun on behalf of Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Diakun, Anna) (Entered: 10/10/2019)
10/10/2019	<u>38</u>	NOTICE OF APPEARANCE by Leena M. Charlton on behalf of Freedom of the Press Foundation, Knight First Amendment Institute at Columbia University. (Charlton, Leena) (Entered: 10/10/2019)